



General Assembly

January Session, 2003

Committee Bill No. 5186

LCO No. 3173

Referred to Committee on Education

Introduced by:
(ED)

AN ACT CONCERNING TEACHERS AND COLLECTIVE BARGAINING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-151b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2003*):

3 (a) The superintendent of each local or regional board of education
4 shall, in accordance with guidelines established by the State Board of
5 Education for the development of evaluation programs and such other
6 guidelines as may be established by mutual agreement between the
7 local or regional board of education and the teachers' representative
8 chosen pursuant to section 10-153b, continuously evaluate or cause to
9 be evaluated each teacher. An evaluation pursuant to this subsection
10 shall include, but need not be limited to, strengths, areas needing
11 improvement and strategies for improvement. Claims of failure to
12 follow the procedures established in said evaluation programs shall be
13 subject to the grievance procedure in collective bargaining agreements
14 negotiated subsequent to July 1, 2003. The superintendent shall report
15 the status of teacher evaluations to the local or regional board of
16 education on or before June first of each year. For purposes of this

17 section, the term "teacher" shall include each professional employee of
18 a board of education, below the rank of superintendent, who holds a
19 certificate or permit issued by the State Board of Education.

20 (b) Each local and regional board of education shall develop and
21 implement teacher evaluation programs consistent with guidelines
22 established by the State Board of Education and consistent with the
23 plan developed in accordance with the provisions of subsection (b) of
24 section 10-220a.

25 Sec. 2. Subsection (d) of section 10-220a of the general statutes is
26 repealed and the following is substituted in lieu thereof (*Effective July*
27 *1, 2003*):

28 (d) The state Department of Education may fund, within available
29 appropriations, in cooperation with one or more regional educational
30 service centers: (1) A cooperating teacher program to train Connecticut
31 public school teachers and certified teachers at private special
32 education facilities approved by the Commissioner of Education and at
33 other facilities designated by the commissioner, who participate in the
34 supervision, training and evaluation of student teachers; (2) institutes
35 to provide continuing education for Connecticut public school
36 educators, assessors and cooperating teachers and teacher mentors,
37 including institutes to provide continuing education for Connecticut
38 public school educators offered in cooperation with the Connecticut
39 Humanities Council; and (3) a beginning teacher support and
40 assessment program to train Connecticut public school teachers and
41 other qualified persons approved by the Commissioner of Education
42 and certified teachers at such private special education and other
43 designated facilities who serve as mentors or assessors for beginning
44 teachers and who supervise, train and assist or assess beginning
45 teachers in their initial years in teaching and to pay stipends to
46 assessors. Funds available under this subsection shall be paid directly
47 to school districts for the provision of substitute teachers when
48 cooperating teachers, teacher mentors, beginning teachers and

49 assessors are released from regular classroom responsibilities and for
50 the provision of professional development activities for cooperating
51 and student teachers, teacher mentors, assessors and beginning
52 teachers. The cooperating teacher and beginning teacher support and
53 assessment programs shall operate in accordance with regulations
54 which shall be adopted by the State Board of Education pursuant to
55 chapter 54. Student teachers shall be placed with trained cooperating
56 teachers. Beginning teachers shall participate in a beginning teacher
57 support and assessment program as made available by the board.
58 School districts shall be responsible for providing support to beginning
59 teachers which shall include, but not be limited to, the placement of
60 beginning teachers with trained teacher mentors who may be full or
61 part-time teachers in the same or a different building than the
62 beginning teacher and provision of trained assessors to conduct
63 assessments of beginning teachers. Cooperating teachers, teacher
64 mentors and assessors may serve concurrently in more than one
65 capacity and may be assigned more than one student teacher or
66 beginning teacher in each such capacity. The assessment of each
67 beginning teacher shall be based upon, but not limited to, data
68 obtained from observations conducted by assessors using an
69 assessment instrument. Notwithstanding any regulation to the
70 contrary, the State Board of Education may require less than six
71 observations as part of such assessment for the fiscal year ending June
72 30, 1992, and may establish different assessment standards for use
73 during such fiscal year. Notwithstanding any regulation to the
74 contrary, a beginning teacher need not be assessed by a certified
75 teacher who holds a certification endorsement in the same general
76 subject area as such beginning teacher. Cooperating teachers and
77 teacher mentors who are Connecticut public school teachers and
78 assessors who are employed by school districts shall be selected by
79 local and regional boards of education. Cooperating teachers and
80 teacher mentors and assessors at such private special education and
81 other designated facilities shall be selected by the authority responsible
82 for the operation of such facilities. If a board of education is unable to

83 identify a sufficient number of individuals to serve in such positions,
84 the commissioner may select qualified persons who are not employed
85 by the board of education to serve in such positions. Such regulations
86 shall require primary consideration of teachers' classroom experience
87 and recognized success as educators. The provisions of sections 10-
88 153a to 10-153n, inclusive, as amended by this act, shall not be
89 applicable to the selection [.] and placement [and compensation] of
90 persons participating in the cooperating teacher and beginning teacher
91 support and assessment programs pursuant to the provisions of this
92 section, but the provisions of said sections 10-153a to 10-153n,
93 inclusive, shall be applicable to the compensation and to the hours and
94 duties of such persons. The State Board of Education shall protect and
95 save harmless, in accordance with the provisions of section 10-235, any
96 cooperating teacher, teacher mentor or assessor while serving in such
97 capacity.

98 Sec. 3. Subsection (b) of section 10-153d of the general statutes is
99 repealed and the following is substituted in lieu thereof (*Effective July*
100 *1, 2003*):

101 (b) The local or regional board of education and the organization
102 designated or elected as the exclusive representative for the
103 appropriate unit, through designated officials or their representatives,
104 shall have the duty to negotiate with respect to salaries, hours and
105 other conditions of employment about which either party wishes to
106 negotiate including, but not limited to, for negotiations subsequent to
107 July 1, 2003, compensation of mentor teachers participating in the
108 cooperating teacher and beginning teacher support and assessment
109 programs pursuant to the provisions of section 10-220a, as amended by
110 this act, and to the hours and duties of such persons. For purposes of
111 this subsection and sections 10-153a, 10-153b, as amended by this act,
112 and 10-153e to 10-153g, inclusive, (1) "hours" shall not include the
113 length of the student school year, the scheduling of the student school
114 year, the length of the student school day, the length and number of
115 parent-teacher conferences and the scheduling of the student school

116 day, except for the length and the scheduling of teacher lunch periods
117 and teacher preparation periods, and (2) "other conditions of
118 employment" shall not include the establishment or provisions of any
119 retirement incentive plan authorized by section 10-183jj. Such
120 negotiations shall commence not less than two hundred ten days prior
121 to the budget submission date. Any local board of education shall file
122 forthwith a signed copy of any contract with the town clerk and with
123 the Commissioner of Education. Any regional board of education shall
124 file forthwith a signed copy of any such contract with the town clerk in
125 each member town and with the Commissioner of Education. Upon
126 receipt of a signed copy of such contract the clerk of such town shall
127 give public notice of such filing. The terms of such contract shall be
128 binding on the legislative body of the local or regional school district,
129 unless such body rejects such contract at a regular or special meeting
130 called and convened for such purpose within thirty days of the filing
131 of the contract. If a vote on such contract is petitioned for in accordance
132 with the provisions of section 7-7, in order to reject such contract, a
133 minimum number of those persons eligible to vote equal to fifteen per
134 cent of the electors of such local or regional school district shall be
135 required to participate in the voting and a majority of those voting
136 shall be required to reject. Any regional board of education shall call a
137 district meeting to consider such contract within such thirty-day
138 period if the chief executive officer of any member town so requests in
139 writing within fifteen days of the receipt of the signed copy of the
140 contract by the town clerk in such town. The body charged with
141 making annual appropriations in any school district shall appropriate
142 to the board of education whatever funds are required to implement
143 the terms of any contract not rejected pursuant to this section. All
144 organizations seeking to represent members of the teaching profession
145 shall be accorded equal treatment with respect to access to teachers,
146 principals, members of the board of education, records, mail boxes and
147 school facilities and, in the absence of any recognition or certification
148 as the exclusive representative as provided by section 10-153b, as
149 amended by this act, participation in discussions with respect to

150 salaries, hours and other conditions of employment.

151 Sec. 4. Subsection (a) of section 10-153b of the general statutes is
152 repealed and the following is substituted in lieu thereof (*Effective July*
153 *1, 2003*):

154 (a) Whenever used in this section or in sections 10-153c to 10-153n,
155 inclusive, as amended by this act: (1) The "administrators' unit" means
156 the certified professional employee or employees in a school district
157 not excluded from the purview of sections 10-153a to 10-153n,
158 inclusive, as amended by this act, employed in positions requiring an
159 intermediate administrator or supervisor certificate, or the equivalent
160 thereof, and whose administrative or supervisory duties, for purposes
161 of determining membership in the administrators' unit, shall equal at
162 least fifty per cent of the assigned time of such employee. Certified
163 professional employees covered by the terms and conditions of a
164 contract in effect prior to October 1, 1983, shall continue to be covered
165 by such contract or any successor contract until such time as the
166 employee is covered by the terms and conditions of a contract
167 negotiated by the exclusive bargaining unit of which the employee is a
168 member for purposes of collective bargaining pursuant to the
169 provisions of this section. (2) The "teachers' unit" means the group of
170 [certified] professional employees who hold a certificate or durational
171 shortage area permit issued by the State Board of Education under the
172 provisions of sections 10-144o to 10-149, inclusive, and are employed
173 by a local or regional board of education in positions requiring such a
174 [teaching or other] certificate or durational shortage area permit and
175 are not included in the administrators' unit or excluded from the
176 purview of sections 10-153a to 10-153n, inclusive, as amended by this
177 act. (3) "Commissioner" means the Commissioner of Education. (4) "To
178 post a notice" means to post a copy of the indicated material on each
179 bulletin board for teachers in every school in the school district or, if
180 there are no such bulletin boards, to give a copy of such information to
181 each employee in the unit affected by such notice. (5) "Budget
182 submission date" means the date on which a school district is to submit

183 its itemized estimate of the cost of maintenance of public schools for
 184 the next following year to the board of finance in each town having a
 185 board of finance, to the board of selectmen in each town having no
 186 board of finance and, in any city having a board of finance, to said
 187 board, and otherwise to the authority making appropriations therein.
 188 (6) "Days" means calendar days.

189 Sec. 5. Subdivision (2) of subsection (a) of section 10-151 of the
 190 general statutes is repealed and the following is substituted in lieu
 191 thereof (*Effective July 1, 2003*):

192 (2) The term "teacher" shall include each [certified] professional
 193 employee holding a certificate or durational shortage area permit
 194 issued by the State Board of Education under the provisions of sections
 195 10-144o to 10-149, inclusive, below the rank of superintendent
 196 employed by a board of education for at least ninety days in a position
 197 requiring a certificate or durational shortage area permit issued by the
 198 State Board of Education.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>
Sec. 2	<i>July 1, 2003</i>
Sec. 3	<i>July 1, 2003</i>
Sec. 4	<i>July 1, 2003</i>
Sec. 5	<i>July 1, 2003</i>

Statement of Purpose:

To make the teacher evaluation process part of collective bargaining, to make cooperating teacher and beginning teacher support and assessment programs mandatory subjects of bargaining and to clarify that holders of durational shortage area permits are members of the teachers' bargaining unit and to have their time of successful service count toward tenure.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. CARDIN, 53rd Dist.; REP. REINOSO, 130th Dist.

H.B. 5186, 5185, 6003